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| 09/363,949      | 07/29/1999  | DUANE KIMBELL FIELDS | AT9-99-201          | 8760             |

7590 02/14/2003

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EXAMINER

JACOBS, LASHONDA T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2157

DATE MAILED: 02/14/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/363,949

Applicant(s)

FIELDS ET AL.

Examiner

LaShonda T. Jacobs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

This Office Action is in response to Applicant's amendment filed on December 23, 2002.

Claims 1-29 are presented for further examination.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims **1-8, 13-19, 23-26, and 28** are rejected under 35 U.S.C. 102(b) as being anticipated by Gosling et al. (hereinafter, "Gosling", EP 0810524 A1).

As per claims **1, 13 and 17**, Gosling teaches a method and computer program product for extending the capabilities of a web server, comprising the steps of:

- sending a request from a client to the web server, the request including an address for the code module needed to service the request (see pg. 2, lines 10-12, pg. 3, lines 39-48, and pg. 4, lines 5-15, Gosling teaches a thread that retrieves a client request in which the thread maps the request to a servlet name);
- if the code module is unavailable at the web server, having the web server use the address to request the code module from the publishing server (see pg. 3, lines 25-30);
- installing the code module at the server; and performing the request at the web server using the install code module (see pg. 3, lines 25-34, Gosling teaches a servlet being

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uploaded by the local server from a remote server, executing the servlet processing the client's request at the local server);

- serving a response to the request back to the client (see pg. 4, lines 34-40).

As per claim 23, Gosling teaches a web server operative in a computer network comprising:

- means for receiving a request from a client, the request identifying a code module and an address for the code module (see pg. 2, lines 10-12, pg. 3, lines 39-48, and pg. 4, lines 5-15, Gosling teaches a thread that retrieves a client request in which the thread maps the request to a servlet name);
- means responsive to a determination that the code module is not available at the web server for using the address to request the code module for a given location in the computer network (see pg. 3, lines 25-30);
- means responsive to receipt of the code module from the given location for installing the code module at the web server for use in responding to the request (see pg. 3, lines 25-34, Gosling teaches a servlet being uploaded by the local server from a remote server, executing the servlet processing the client's request at the local server); and
- means for executing the code module to respond to the request (pg. 2, lines 30-35, and pg. 3, lines 13-19).

As per claim 2, Gosling discloses:

- serving the code module from the publishing server to the web server (see pg. 3, lines 25-30).

As per claim 3, Gosling discloses:

- wherein the address is a URL (see pg. 4, lines 5-8).

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As per claim 4, Gosling discloses:

- wherein the code module is unavailable to the web server because the web server does not support the code module (pg. 3, lines 25-30, Gosling discloses a servlet object that is not initially on the local server).

As per claim 5, Gosling discloses:

- wherein the code module is unavailable to the web server because the server cannot access the code module (pg. 3, lines 25-30, Gosling discloses a servlet object that is not initially on the local server).

As per claim 6, Gosling discloses:

- wherein the request includes a unique identifier for the code module (see pg. 4, lines 5-15, Gosling teaches a servlet that may be specified by a URL or part of the client's request is the name of the servlet).

As per claim 7, Gosling discloses:

- wherein the code module conforms to specific transformation API of the web server (pg. 3, lines 13-15, and pg. 5, lines 18-43).

As per claim 8, Gosling discloses:

- having the publishing server sign the code module with a key (pg. 4, lines 22-31, Gosling discloses that servlets "built into" the server of servlets digitally signed in the Java Archives files are trusted and granted more permission by security manager);
- serving the sign code module from the publishing server to the web server (pg. 4, lines 34-40); and

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- verifying authenticity of the code module prior to the installing step (pg. 4, lines 41-48, Gosling discloses a security operation step that is performed on the servlet to assure there are no security problems associated with the uploaded servlet).

As per claim **14**, Gosling discloses:

- the step of authenticating the code module prior to the installing step (pg. 4, lines 41-48, Gosling discloses a security operation step that is performed on the servlet to assure there are no security problems associated with the uploaded servlet).

As per claim **15**, Gosling discloses:

- wherein the given location is a publishing server (pg. 4, lines 22-31).

As per claim **16**, Gosling discloses:

- wherein the step of authenticating includes applying a given key to information retrieved from the publishing server (pg. 4, lines 22-31, Gosling discloses a digital signature on executable code for accessing network services).

As per claims **18** and **24**, Gosling discloses:

- means for authenticating the code module (pg. 4, lines 16-27, and lines 41-48).

As per claim **19**, Gosling discloses:

- means for executing the code module to respond to the request (pg. 2, lines 30-35, and pg. 3, lines 13-19).

As per claim **25**, Gosling discloses:

- wherein the code module is written to conform to a server API (pg. 3, lines 13-17, and pg. 5, lines 18-42).

As per claim **26**, Gosling discloses:

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- wherein the code module is written in Java ((pg. 4, lines 50-53, and pg. 10, line 56).

As per claim 28, Gosling discloses:

- a web client having means for identifying a code module required to process a client request (see pg. 2, lines 10-12, pg. 3, lines 39-48, and pg. 4, lines 5-15, Gosling teaches a thread that retrieves a client request in which the thread maps the request to a servlet name);
- a publishing server supporting the code module at a given URL (see pg. 3, lines 25-30);
- means responsive to receipt of a request from the web client identifying the code module and the URL for the code module (see pg. 2, lines 10-12, pg. 3, lines 39-48, and pg. 4, lines 5-15, Gosling teaches a thread that retrieves a client request in which the thread maps the request to a servlet name);
- means responsive to a determination that the code module is not available at the web server for using the URL to request the code module from the publishing server (see pg. 3, lines 25-30);
- means responsive to receipt of the code module from the publishing server for installing the code module (see pg. 3, lines 25-34, Gosling teaches a servlet being uploaded by the local server from a remote server, executing the servlet processing the client's request at the local server);
- means operative during a web transaction for executing the code module to respond to the request (pg. 2, lines 30-35, and pg. 3, lines 13-19); and
- means for serving data back to the web client following processing by the code module (pg. 4, lines 34-40).

*Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9, 12, 20-22, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gosling in view of Murray.

As per claim 9, Gosling discloses the invention substantially as claimed, including:

- receiving a request from a client, the request identifying a code module required to process the request (see pg. 2, lines 10-12, pg. 3, lines 39-48, and pg. 4, lines 5-15, Gosling teaches a thread that retrieves a client request in which the thread maps the request to a servlet name); and
- responsive to a determination that the code module is not available at the web server (see pg. 3, lines 25-30).

However, Gosling does not explicitly disclose:

- uploading a code module from the client to the web server; and
- at the web server, using the uploaded code module to as needed to service a given request from the web client.

Murray discloses:

- uploading a code module from the client to the web server (col. 2, lines 54-65); and



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- at the web server, using the uploaded code module to as needed to service a given request from the web client (col. 4, lines 39-45).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Gosling and Murray to upload a code module from the client to the web server and at the web server using the code module as needed to service a given request from the client in Gosling allowing easy access to a code module servicing a request from the client.

As per claim 12, Gosling discloses:

- wherein the code module conforms to a given application programming interface (API) (pg. 3, lines 13-17, and pg. 5, lines 18-42).

As per claim 20, Gosling discloses the invention substantially as claimed, including:

- means receiving a request from a client, the request identifying a code module required to process the request (see pg. 2, lines 10-12, pg. 3, lines 39-48, and pg. 4, lines 5-15, Gosling teaches a thread that retrieves a client request in which the thread maps the request to a servlet name); and
- means responsive to a determination that the code module is not available at the web server (see pg. 3, lines 25-30).

However, Gosling does not explicitly discloses:

- requesting the client to upload the code module; and
- means responsive to receipt of the code module from the client to install the code module at the web server for use in responding to the request.

Murray discloses:

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- requesting the client to upload the code module (col. 2, lines 26-31, and lines 54-65);  
and
- means responsive to receipt of the code module from the client to install the code module at the web server for use in responding to the request (col. 4, lines 13-15, and lines 24-27).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Gosling and Murray to request the client to upload the code module and install the code module at the web server for use in responding to the request in Gosling allowing easy access to a code module servicing a request from the client.

As per claim **21**, Gosling discloses:

- means for authenticating the code module (pg. 4, lines 16-27, and lines 41-48).

As per claim **22**, Gosling discloses:

- means for executing the code module to respond to the request (pg. 2, lines 30-35, and pg. 3, lines 13-19).

As per claim **27**, Gosling discloses the claimed invention substantially as claimed.

However, Gosling does not explicitly disclose:

- means for deleting a code module from the server upon a given occurrence.

Murray discloses:

means for deleting a code module from the server upon a given occurrence (col. 5, lines 32-35).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Gosling in view of Murray and Fields to delete a

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code module from the server upon a given occurrence in Gosling allowing the server to save memory by removing any code modules that are used only once.

4. Claims **10** and **11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gosling in view of Murray and in further view of Fields et al (hereafter, "Fields", 6,412,008).

As per claim **10**, Gosling in view of Murray discloses the claimed invention substantially as claimed.

However, Gosling in view of Murray does not explicitly disclose:

- wherein the web client is a pervasive computing client.

Fields discloses:

- wherein the web client is a pervasive computing client (col. 1, lines 48-51, and col.4, lines 15-18).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Gosling view of Murray and Fields wherein the web client is a pervasive client in Gosling in view of Murray because it would provide adequate means for efficiently sending and receiving information while in any given location.

As per claim **11**, Gosling discloses:

- wherein the code module translates data into a given proprietary format and serves the translated data back to the pervasive computing client (pg. 4, lines 13-15, and lines 34-40, Gosling discloses that a servlet can perform format conversions and send the information back to the client).

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5. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gosling in view of Fields.

As per claim 29, Gosling discloses the claimed invention substantially as claimed.

However, Gosling does not explicitly disclose:

- wherein the web client is a pervasive computing client.

Fields discloses:

- wherein the web client is a pervasive computing client (col. 1, lines 48-51, and col.4, lines 15-18).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Gosling and Fields wherein the web client is a pervasive client in Gosling because it would provide adequate means for efficiently sending and receiving information while in any given location.

### *Response to Arguments*

6. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

In response to Applicant's request for reconsideration filed on December 23, 2002, the following factual arguments are noted:

- a. Weikart does not teach or suggest sending a request from a client to the web server, the request including an address for a code module needed to service the request.

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- b. Weikart fails to teach or suggest installing the code at the web server.
- c. Weikart does not teach, suggest, or give any incentive to make the needed changes to reach the presently invention claimed.
- d. Aggarwal does not teach the specific steps of claim 9, as amended.
- e. Lee fails to teach or suggest receiving a request from a client to the web server, the request including an address for a code module needed to service the request.
- f. Weikart and Lee, taken alone or in combination, fail to teach or suggest the present invention as further limited in claims 14, 16, and 18.
- g. Gosling also fails to teach receiving a request from a client to a web server, the request including an address for a code module needed to service the request.
- h. Weikart and Gosling taken alone or in combination, fail to teach or suggest each and every claim limitation; therefore the claimed invention, particularly as further limited in claims 4, 7, 8, 15, 19, 23 and 25-28.
- i. Weikart does not teach or suggest wherein the code module translates data into a given proprietary format and serves the translated data back to the pervasive computing client.
- j. The Office Action proposes implement or incorporating a Web server that interacts with servlets through an API in Weikart's method. It is unclear whether Weikart is intended to be included in the rejection.
- k. It is unclear how the Office Action intends to reject claim 16, since the only reference mention is Weikart and there is no statement of the rejection for this claim.
- l. Weikart fails to teach or suggest means for receiving request from a client, the request identifying a code module required to process the request as recited in amended claim 20.

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m. Aggarwal does not teach or suggest receiving a request from a client, the request identifying a code module to process the request.

In considering (a)-(f), (h)-(i), and (l)-(m), Applicant's arguments have been considered but are moot in view of the new grounds of rejections.

In considering (g), Examiner respectfully disagrees with applicant. According to the claim, "sending a request from a client to the web server, the request including an address for a code module needed to service the request, Gosling discloses a client sending a request to web server and within that request the client identifies a servlet to process the request. Therefore, Gosling does teach or suggest sending a request from a client to a web server, the request including an address for a code module needed to service the request.

In considering (j)-(k), Examiner respectfully agrees with the Applicant's unclearness of the Office Action. The Examiner made an error when typing the Office Action.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,742,768 to Gennaro et al.

U.S. Patent No. 6,064,977 to Haverstock et al.

U.S. Patent No. 6,006,260 to Barrick Jr. et al.

U.S. Patent No. 5,870,544 to Curtis

U.S. Patent No. 6,012,098 to Bayeh et al.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T Jacobs whose telephone number is 703-305-7494.

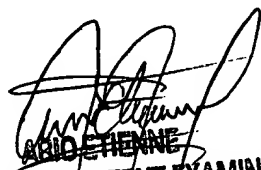
The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
February 5, 2003

  
ARIO ETIENNE  
SUPERVISORY/PATENT EXAMINER  
TECHNOLOGY CENTER 2100